

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATE OF AMERICA)	
)	2:03-cr-00350-LRH-LRL
Plaintiff,)	
)	<u>ORDER</u>
vs.)	
)	
ARLANDERS J. GIBSON,)	
)	
Defendant.)	
_____)	

Before the court is the Unopposed Motion for Clarification of Extent of Downward Departure (#1682)¹. The court confirms that it has reviewed the transcript of the sentencing hearing conducted on February 6, 2006, and the court's internal file concerning the sentencing history relative to defendant Gibson.

The court confirms that at the time of defendant's original sentencing on February 6, 2006, the court gave the defendant the benefit of a two-level reduction of his offense level based upon his role in the group plea. This resulted in the following guideline calculations: a total offense level of 33, a criminal history category of III, and a guideline sentencing range of 168 to 210 months. The court then imposed a sentence of imprisonment of 198 months.

The court further recalls receiving the parties' Joint Stipulation for Discretionary Relief Under 18 U.S.C. §3582(c) (#1501), which jointly recommended that defendant receive a discretionary reduction and be imprisoned to a revised reduced term of 158-months' imprisonment. The court reluctantly accepted the stipulation and joint recommendation, and imposed the reduced term of 158 months' imprisonment, but did so principally because of the

¹ Refers to the court's docketing number.

1 parties' agreement. The underlying offense history was aggravated and the defendant had been
2 treated favorably as a result of his original 198-month sentence. A discretionary reduction in his
3 sentence of forty months was considered by the court to be the maximum favorable relief which
4 would be imposed by the court. The court provides this information for any value it may serve.

5 Good cause appearing,

6 IT IS THEREFORE ORDERED that the Unopposed Motion for Clarification of Extent of
7 Downward Departure (#1682) is hereby GRANTED and said clarification is reflected in this
8 order.

9 IT IS SO ORDERED.

10 DATED this 7th day of October, 2013.



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12 LARRY R. HICKS
13 UNITED STATES DISTRICT JUDGE
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